

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

The agency identified below in box 1 provides notice of proposed rule change pursuant to *Utah Code* Sections 63-46a-4. Please address questions regarding information on this notice to the agency. The full text of all rule filings is published in the *Utah State Bulletin* unless excluded because of space constraints. The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no:		Date filed:	
Utah Admin. Code ref. (R no.):	R156-60b	Time filed:	
Changed to Admin. Code Ref. (R no.):			
1.	Agency: Commerce/Division of Occupational and Professional Licensing		
	Room no.:		
	Building: Heber M. Wells Building		
	Street address 1: 160 East 300 South		
	Street address 2:		
	City, state, zip: Salt Lake City UT 84111-2316		
	Mailing address 1: PO Box 146741		
	Mailing address 2:		
	City, state, zip: Salt Lake City UT 84114-6741		
	Contact person(s):		
	Name:	Phone:	Fax:
	Noel Taxin	801-530-6621	801-530-6511
			ntaxin@utah.gov
(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)			
2.	Title of rule or section (catchline):		
	Marriage and Family Therapist Licensing Act Rules		
3.	Type of notice:		
	New ___; Amendment XX; Repeal ___; Repeal and Reenact ___		
4.	Purpose of the rule or reason for the change:		
	<p>The Division and the Marriage and Family Therapist Licensing Board have reviewed the rule and determined a couple of amendments needed to be made in the rule with respect to education requirements including the use of the Diagnostic Statistical Manual (DSM) and changes with respect to qualifications to be a marriage and family therapist training supervisor and mental health therapist training supervisor. About a year ago the rule was amended to allow other mental health therapists to supervise marriage and family therapist interns if the mental health therapists completed certain education requirements. The intent was to increase the available supervisors. It was found in the past year that this change was contrary to other states' licensing standards and that no other mental health therapists met the specified educational requirements. Additionally it was determined that a transition period to complete a supervisory course would have been beneficial to supervisors and applicants.</p>		
5.	This change is a response to comments from the Administrative Rules Review Committee.		
	Yes ___; No XX		
6.	Summary of the rule change:		

	Throughout the rule the term "these rules" has been changed to "this rule" as well as adjusting the title of the rule. Section 302a-Education Requirements: In paragraphs (1)(b)(ii) and (2)(b)(ii)(B) added that DSM education is to be included within the assessment and treatment coursework. Section 302d-Qualifications to be a Marriage and Family Therapist Training Supervisor and Mental Health Therapist Training Supervisor: Amendments are made in this section to provide for a transition period for licensed marriage and family therapists to take a supervision course and clarifies those requirements. Amendments also delete other types of mental health therapy practitioners (clinical social worker, psychologist or professional counselor) who may supervise marriage and family therapist interns.
7.	<p>Aggregate anticipated cost or savings to:</p> <p>A) State budget:</p> <p>The Division will incur minimal costs of approximately \$100 to reprint the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.</p> <p>B) Local government:</p> <p>Proposed amendments do not apply to local governments; therefore, no costs or savings are anticipated. Proposed rule amendments only apply to licensed marriage and family therapists and certified marriage and family therapist interns and applicants for licensure in those license classifications.</p> <p>C) Small businesses (fewer than 50 employees) AND persons other than businesses:</p> <p>Proposed rule amendments only apply to licensed marriage and family therapists and certified marriage and family therapist interns and applicants for licensure in those license classifications. The Division anticipates no costs are associated with the proposed amendments. However, the proposed amendments allow for a transition period until January 1, 2009 for required supervisor training which may be a cost savings for supervisors. The Division however is unable to determine any exact savings amount related to the transition period allowed.</p>
8.	<p>Compliance costs for affected persons ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization or any character other than an agency):</p> <p>Proposed rule amendments only apply to licensed marriage and family therapists and certified marriage and family therapist interns and applicants for licensure in those license classifications. The Division anticipates no costs are associated with the proposed amendments. However, the proposed amendments allow for a transition period until January 1, 2009 for required supervisor training which may be a cost savings for supervisors. The Division however is unable to determine any exact savings amount related to the transition period allowed.</p>
9.	<p>Comments by the department head on the fiscal impact the rule may have on businesses:</p> <p>This rule filing returns to the previous established policy that a supervisor of a marriage and family therapist intern must be a licensed marriage and family therapist. No fiscal impact to businesses is anticipated in returning to this previous policy. The filing also provides a transition period for supervisor training, which is expected to be a cost saving amendment for supervisors. Francine A. Giani, Executive Director</p>
10.	<p>This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required): Section 58-60-301 and Subsections 58-1-106(1)(a) and 58-1-202(1)(a)</p>
11.	<p>This rule adds, updates, or otherwise changes the following titles of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank):</p>
12.	<p>The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the <i>Utah State Bulletin</i>. See Section 63-46a-5 and Rule R15-1 for more information.)</p> <p>A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy): 12/17/2007</p> <p>B) A public hearing (optional) will be held:</p>

	on (mm/dd/yyyy):	at (time):	At (place):		
	12/14/2007	10:30 am	160 East 300 South, Conference Room 402 (4th floor), Salt Lake City, Utah		
13.	This rule change may become effective on (mm/dd/yyyy):		12/24/2007		
	NOTE: The date above is the date on which this rule MAY become effective. It is <i>NOT</i> the effective date. After the date designated in Box 12(A) above, the agency <i>must</i> submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.				
14.	Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "NASA") or proper nouns (e.g., "Medicaid")):				
	licensing	therapists			
	marriage and family therapist				
15.	Attach an RTF document containing the text of this rule change (filename):		R156-60b.pro		
To the agency: Information requested on this form is required by Sections 63-46a-4, 5, 6, and 10. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> , and delaying the first possible effective date.					
AGENCY AUTHORIZATION					
Agency head or designee, and title:	F. David Stanley, Director	Date (mm/dd/yyyy):	10/29/2007		

R156. Commerce, Occupational and Professional Licensing.

R156-60b. Marriage and Family Therapist Licensing Act Rule[s].

R156-60b-101. Title.

Th[ese]is rule[s—are]is known as the "Marriage and Family Therapist Licensing Act Rule[s]".

R156-60b-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 60, as used in Title 58, Chapters 1 and 60, or th[ese]is rule[s]:

(1) "AAMFT" means the American Association for Marriage and Family Therapy.

(2) "Face to face supervision" as described in Subsection R156-60b-302a(1)(b)(vii) includes both individual and group supervision.

(3) "Group supervision" means supervision between the supervisor and no more than three supervisees, unless preapproved by the Board.

(4) "Individual supervision" means supervision between the supervisor and one or two supervisees in accordance with standards set forth in Subsection R156-60b-302b(1)(d).

(5) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 60, is further defined, in accordance with Subsection 58-1-203(5), in Section R156-60b-502.

R156-60b-103. Authority - Purpose.

Th[ese]is rule[s—are]is adopted by the division under the authority of Subsection 58-1-106(1)(a) to enable the division to administer Title 58, Chapter 60, Part 3.

R156-60b-302a. Qualifications for Licensure - Education Requirements.

(1) Pursuant to Subsection 58-60-305(1)(d), an applicant applying for licensure as a marriage and family therapist after July 1, 2002 shall:

(a) produce certified transcripts evidencing completion of a master's or doctorate degree in marriage and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy at the time the applicant obtained the education; or

(b) produce certified transcripts evidencing completion of a master's degree in marriage and family therapy from a program accredited by a professional accrediting body approved by the Council for Higher Education Accreditation of the American Council on Education at the time the applicant obtained the education which includes courses in the following areas:

(i) six semester hours/nine quarter hours of course work

in theoretical foundations of marital and family therapy;

(ii) nine semester hours/12 quarter hours of course work in assessment and treatment in marriage and family therapy, including Diagnostic Statistical Manual (DSM);

(iii) six semester hours/nine quarter hours of course work in human development and family studies which include ethnic minority issues, and gender issues including sexuality, sexual functioning, and sexual identity;

(iv) three semester hours/four and one-half quarter hours in professional ethics;

(v) three semester hours/four and one-half quarter hours in research methodology and data analysis;

(vi) three semester hours/four and one-half quarter hours in electives in marriage and family therapy; and

(vii) a clinical practicum of not less than 600 hours which includes not less than 100 hours of face to face supervision and not less than 500 hours of supervised clinical practice of which not less than 250 hours shall be with couples or families who are physically present in the therapy room.

(2) Pursuant to Subsection 58-60-305.5(2), an applicant applying for licensure as a marriage and family therapist before July 1, 2002 shall meet the following requirements:

(a) produce certified transcripts evidencing completion of a master's or doctorate degree in marriage and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy; or

(b) produce certified transcripts evidencing an earned doctorate or master's degree in a field of education emphasizing human behavioral studies and skill in therapy or counseling which shall:

(i) be from an institution which is accredited by a professional accrediting body approved by the Council for Higher Education Accreditation of the American Council on Education at the time the applicant obtained the education; and

(ii) include successful completion of the following graduate level course work and a clinical practicum:

(A) six semester hours/nine quarter hours of course work in theoretical foundations of marital and family therapy;

(B) nine semester hours/12 quarter hours of course work in assessment and treatment in marriage and family therapy, including DSM;

(C) six semester hours/nine quarter hours of course work in human development and family studies which include ethnic minority issues, and gender issues including sexuality, sexual functioning, and sexual identity;

(D) three semester hours/four and one-half quarter hours in professional ethics;

(E) three semester hours/four and one-half quarter hours in research methodology and data analysis;

(F) three semester hours/four and one-half quarter hours in electives in marriage and family therapy; and

(G) a clinical practicum of not less than 600 hours which includes not less than 100 hours of face to face supervision and not less than 500 hours of supervised clinical practice of which not less than 250 hours shall be with couples or families who are physically present in the therapy room; or

(c) produce certified transcripts evidencing an earned doctorate or master's degree in a field of religious study with a documented emphasis in marriage and family therapy and which meets the requirements set forth under Subsections (2) (b) (ii) (A) through (G).

R156-60b-302d. Qualifications to be a Marriage and Family Therapist Training Supervisor[~~and Mental Health Therapist Training Supervisor~~].

Pursuant to the provisions of Subsection 58-60-307(1), to be qualified as a marriage and family therapist supervisor for training required under Subsections 58-60-305(1) (e) and (f), an individual shall:

(1) be licensed as a marriage and family therapist in good standing for not less than two years;

(2) be currently licensed as a marriage and family therapist in the state in which the training is being performed; and

(3) on or after January 1, 2009, meet one of the following three options:

([+])a) be currently approved by AAMFT as a marriage and family therapist supervisor; [~~or~~

~~(2) be currently licensed in good standing as a marriage and family therapist in the state in which the supervised training is being performed; and meet the following requirements:~~

~~(a) have lawfully engaged in the practice of mental health therapy for not less than two years; and]~~

(b) [+]) have successfully completed a supervision course in a Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) accredited marriage and family therapy (MFT) program at an accredited university; or

([+])c) have successfully completed 20 clock hours of instruction sponsored by AAMFT or the Utah Association [~~of~~]for Marriage and Family Therapists (UAMFT) as follows:

(A) four hours of review of models of MFT and supervision;

(B) eight hours of MFT supervision processes and practice;

(C) four hours of research on effective outcomes and

processes of supervision; and

(D) four hours of AAMFT Code of Ethics, state rules and case studies related to MFT supervision[; ~~or~~

~~— (3) be currently licensed as a clinical social worker, psychologist, or professional counselor in Utah and meet the following requirements:~~

~~— (a) have lawfully engaged in the practice of mental health therapy for not less than two years;~~

~~— (b) produce certified transcripts from a program accredited by a professional accrediting body approved by the Council for Higher Education Accreditation of the American Council on Education, which includes courses in the following areas:~~

~~— (i) six semester hours/nine quarter hours in theoretical foundations of marriage and family therapy;~~

~~— (ii) nine semester hours/12 quarter hours in assessment and treatment in marriage and family therapy; and~~

~~— (iii) six semester hours/nine quarter hours in human development and family studies which includes ethnic minority and gender issues, including sexuality, sexual functioning and sexual identity; and~~

~~— (c) (i) have successfully completed a supervision course in a COAMFTE accredited MFT program at an accredited university; or~~

~~— (ii) have successfully completed 20 clock hours of instruction sponsored by AAMFT or UAMFT in the following areas:~~

~~— (A) four hours in review of models of marriage and family therapy and supervision;~~

~~— (B) eight hours in MFT supervision processes and practice;~~

~~— (C) four hours in research on effective outcomes and processes of supervision; and~~

~~— (D) four hours in AAMFT Code of Ethics, state rules and case studies related to MFT supervision].~~

KEY: licensing, therapists, marriage and family therapist

Date of Enactment or Last Substantive Amendment: [June 19, 2006] 2007

Notice of Continuation: October 21, 2004

Authorizing, and Implemented or Interpreted Law: 58-1-106(1) (a) ; 58-1-202(1) (a) ; 58-60-301

